

I suppose there is not a single Member of this body, I would say to the majority leader, who has been very consistent on this subject. Sometimes Members have felt that sanctions were inappropriate except in their particular area of interest where they thought sanctions might make sense. I confess to being entirely inconsistent, too, myself, I say to my friend from Mississippi, having supported sanctions in South Africa and opposed them in China and other places. So none of us have a consistent pattern here.

I think it is very important to try to pull together the best thinking available from Senators on both sides of the aisle to see whether there is some kind of coherent way to go forward in this field.

So I thank the majority leader for his understanding of the importance to try to pull us together in this complicated area. And I assure him I will do my best to try to give everybody an opportunity to have their say. And we will certainly meet the deadlines. I say to the distinguished majority leader, the deadlines will be met, with or without consensus, I cannot say at this point. But I look forward to working on this assignment. I thank the majority leader for the opportunity.

Mr. LOTT. I thank you, I say to Senator McConnell.

I do note that Senator Daschle and I have been communicating on this back and forth the last 2 weeks. I am sorry he is not able to be here now. But this is an example of how we do come together and work very carefully and sensibly, hopefully, when it comes to foreign policy questions. And he certainly wanted to go forward with this. I am glad we were able to make this announcement this afternoon.

I do have a series of bills I believe we can deal with before we adjourn for the week.

I know Senator Ford here is on behalf of the Democratic leader. So we can go through these pretty quickly.

#### MEASURE PLACED ON THE CALENDAR—S. 2236

Mr. LOTT. Mr. President, I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER. The Clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2236) to establish legal standards and procedures for product liability litigation, and for other purposes.

Mr. LOTT. I object to further proceedings on this bill at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

#### APPOINTMENTS BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair, on behalf of the Majority Leader, pursuant to the provisions of Public

Law 105-186, appoints the following Senators to the Presidential Advisory Commission on Holocaust Assets in the United States: The Senator from New York (Mr. D'AMATO), and the Senator from Pennsylvania (Mr. SPECTER).

#### APPOINTMENTS BY THE DEMOCRATIC LEADER

The PRESIDING OFFICER. The Chair, on behalf of the Majority Leader, pursuant to the provisions of Public Law 105-186, appoints the following Senators to the Presidential Advisory Commission on Holocaust Assets in the United States: The Senator from California (Mrs. BOXER), and the Senator from Connecticut (Mr. DODD).

Mr. LOTT. I should note that these appointments are to the Presidential Advisory Commission on Holocaust Assets. The members will be Senator D'AMATO of New York, Senator SPECTER of Pennsylvania, Senator BOXER of California, and Senator DODD of Connecticut.

#### VITIATION OF TITLE AMENDMENT—H.R. 3616

Mr. LOTT. Mr. President, I ask unanimous consent to vitiate the title amendment to H.R. 3616.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN AU- THORIZATION ACT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 383, S. 2073.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2073) to authorize appropriations for the National Center for Missing and Exploited Children.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment on page five, so as to make the bill read:

S. 2073

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS.

Congress makes the following findings:

(1) For 14 years, the National Center for Missing and Exploited Children (referred to in this section as the "Center") has—

(A) served as the national resource center and clearinghouse congressionally mandated under the provisions of the Missing Children's Assistance Act of 1984; and

(B) worked in partnership with the Department of Justice, the Federal Bureau of Investigation, the Department of the Treasury, the Department of State, and many other

agencies in the effort to find missing children and prevent child victimization.

(2) Congress has given the Center, which is a private non-profit corporation, unique powers and resources, such as having access to the National Crime Information Center of the Federal Bureau of Investigation, and the National Law Enforcement Telecommunications System.

(3) Since 1987, the Center has operated the National Child Pornography Tipline, in conjunction with the United States Customs Service and the United States Postal Inspection Service and, beginning this year, the Center established a new CyberTipline on child exploitation, thus becoming "the 911 for the Internet".

(4) In light of statistics that time is of the essence in cases of child abduction, the Director of the Federal Bureau of Investigation in February of 1997 created a new NCIC child abduction ("CA") flag to provide the Center immediate notification in the most serious cases, resulting in 642 "CA" notifications to the Center and helping the Center to have its highest recovery rate in history.

(5) The Center has established a national and increasingly worldwide network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which has enabled the Center to transmit images and information regarding missing children to law enforcement across the United States and around the world instantly.

(6) From its inception in 1984 through March 31, 1998, the Center has—

(A) handled 1,203,974 calls through its 24-hour toll-free hotline (1-800-THE-LOST) and currently averages 700 calls per day;

(B) trained 146,284 law enforcement, criminal and juvenile justice, and healthcare professionals in child sexual exploitation and missing child case detection, identification, investigation, and prevention;

(C) disseminated 15,491,344 free publications to citizens and professionals; and

(D) worked with law enforcement on the cases of 59,481 missing children, resulting in the recovery of 40,180 children.

(7) The demand for the services of the Center is growing dramatically, as evidenced by the fact that in 1997, the Center handled 129,100 calls, an all-time record, and by the fact that its new Internet website ([www.missingkids.com](http://www.missingkids.com)) receives 1,500,000 "hits" every day, and is linked with hundreds of other websites to provide real-time images of breaking cases of missing children, helping to cause such results as a police officer in Puerto Rico searching the Center's website and working with the Center to identify and recover a child abducted as an infant from her home in San Diego, California, 7 years earlier.

(8) In 1997, the Center provided policy training to 256 police chiefs and sheriffs from 50 States and Guam at its new Jimmy Ryce Law Enforcement Training Center.

(9) The programs of the Center have had a remarkable impact, such as in the fight against infant abductions in partnership with the healthcare industry, during which the Center has performed 668 onsite hospital walk-throughs and inspections, and trained 45,065 hospital administrators, nurses, and security personnel, and thereby helped to reduce infant abductions in the United States by 82 percent.

(10) The Center is now playing a significant role in international child abduction cases, serving as a representative of the Department of State at cases under The Hague Convention, and successfully resolving the cases

of 343 international child abductions, and providing greater support to parents in the United States.

(11) The Center is a model of public/private partnership, raising private sector funds to match congressional appropriations and receiving extensive private in-kind support, including advanced technology provided by the computer industry such as imaging technology used to age the photographs of long-term missing children and to reconstruct facial images of unidentified deceased children.

(12) The Center was 1 of only 10 of 300 major national charities given an A+ grade in 1997 by the American Institute of Philanthropy.

(13) In light of its impressive history, the Center has been redesignated as the Nation's missing children clearinghouse and resource center once every 3 years through a competitive selection process conducted by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and has received grants from that Office to conduct the crucial purposes of the Center.

(14) An official congressional authorization will increase the level of scrutiny and oversight by Congress and continue the Center's long partnership with the Department of Justice and the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice.

(15) The exemplary record of performance and success of the Center, as exemplified by the fact that the Center's recovery rate has climbed from 62 to 91 percent, justifies action by Congress to formally recognize the National Center for Missing and Exploited Children as the Nation's official missing and exploited children's center, and to authorize a line-item appropriation for the National Center for Missing and Exploited Children in the Federal budget.

## SEC. 2. NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

(a) GRANTS.—The Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice shall annually make a grant to the National Center for Missing and Exploited Children, which shall be used to—

(1) operate the official national resource center and information clearinghouse for missing and exploited children;

(2) provide to State and local governments, public and private nonprofit agencies, and individuals, information regarding—

(A) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing and exploited children and their families; and

(B) the existence and nature of programs being carried out by Federal agencies to assist missing and exploited children and their families;

(3) coordinate public and private programs that locate, recover, or reunite missing children with their families;

(4) disseminate, on a national basis, information relating to innovative and model programs, services, and legislation that benefit missing and exploited children;

(5) provide technical assistance and training to law enforcement agencies, State, and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children; and

(6) provide assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and internationally.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section,

\$10,000,000 for each of fiscal years 1999, 2000, 2001, 2002, and 2003.

Mr. LOTT. This is to authorize appropriations for the National Center for Missing and Exploited Children.

AMENDMENTS NOS. 3047 AND 3048, EN BLOC

Mr. LOTT. There are two amendments at the desk; an amendment offered by Senators HATCH and FEINGOLD and DEWINE; and an amendment offered by Senators LEAHY and HATCH. I ask unanimous consent that the amendments be considered, en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 3047

(Purpose: To provide for sentencing enhancements and amendments to the Federal Sentencing Guidelines for offenses relating to the abuse and exploitation of children)

On page 8, below line 24, add the following:

### SEC. 3. CHILD EXPLOITATION SENTENCING ENHANCEMENTS.

(a) DEFINITIONS.—In this section:

(1) CHILD; CHILDREN.—The term “child” or “children” means a minor or minors of an age specified in the applicable provision of title 18, United States Code, that is subject to review under this section.

(2) MINOR.—The term “minor” means any individual who has not attained the age of 18, except that, with respect to references to section 2243 of title 18, United States Code, the term means an individual described in subsection (a) of that section.

(b) INCREASED PENALTIES FOR USE OF A COMPUTER IN THE SEXUAL ABUSE OR EXPLOITATION OF A CHILD.—Pursuant to the authority granted to the United States Sentencing Commission under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review the Federal sentencing guidelines on aggravated sexual abuse under section 2241 of title 18, United States Code, sexual abuse under section 2242 of title 18, United States Code, sexual abuse of a minor or ward under section 2243 of title 18, United States Code, coercion and enticement of a juvenile under section 2422(b) of title 18, United States Code, and transportation of minors under section 2423 of title 18, United States Code; and

(2) upon completion of the review under paragraph (1), promulgate amendments to the Federal sentencing guidelines to provide an appropriate sentencing enhancement if the defendant used a computer with the intent to persuade, induce, entice, or coerce a child of an age specified in the applicable provision referred to in paragraph (1) to engage in any prohibited sexual activity.

(c) INCREASED PENALTIES FOR KNOWING MISREPRESENTATION IN THE SEXUAL ABUSE OR EXPLOITATION OF A CHILD.—Pursuant to the authority granted to the United States Sentencing Commission under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review the Federal sentencing guidelines on aggravated sexual abuse under section 2241 of title 18, United States Code, sexual abuse under section 2242 of title 18, United States Code, sexual abuse of a minor or ward under section 2243 of title 18, United States Code, coercion and enticement of a juvenile under section 2422(b) of title 18, United States Code, and transportation of minors under section 2423 of title 18, United States Code; and

(2) upon completion of the review under paragraph (1), promulgate amendments to the Federal sentencing guidelines to provide an appropriate sentencing enhancement if

the defendant knowingly misrepresented the actual identity of the defendant with the intent to persuade, induce, entice, or coerce a child of an age specified in the applicable provision referred to in paragraph (1) to engage in a prohibited sexual activity.

(d) INCREASED PENALTIES FOR PATTERN OF ACTIVITY OF SEXUAL EXPLOITATION OF CHILDREN.—Pursuant to the authority granted to the United States Sentencing Commission under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review the Federal sentencing guidelines on criminal sexual abuse, the production of sexually explicit material, the possession of materials depicting a child engaging in sexually explicit conduct, coercion and enticement of minors, and the transportation of minors; and

(2) upon completion of the review under paragraph (1), promulgate amendments to the Federal sentencing guidelines to provide an appropriate sentencing enhancement applicable to the offenses referred to in paragraph (1) in any case in which the defendant engaged in a pattern of activity involving the sexual abuse or exploitation of a minor.

(e) REPEAT OFFENDERS; INCREASED MAXIMUM PENALTIES FOR TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES.—

(1) REPEAT OFFENDERS.—

(A) CHAPTER 117.—

(i) IN GENERAL.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

#### “§ 2425. Repeat offenders

“(a) IN GENERAL.—Any person described in this subsection shall be subject to the punishment under subsection (b). A person described in this subsection is a person who violates a provision of this chapter, after one or more prior convictions—

“(1) for an offense punishable under this chapter, or chapter 109A or 110; or

“(2) under any applicable law of a State relating to conduct punishable under this chapter, or chapter 109A or 110.

“(b) PUNISHMENT.—A violation of a provision of this chapter by a person described in subsection (a) is punishable by a term of imprisonment of a period not to exceed twice the period that would otherwise apply under this chapter.”.

(ii) CONFORMING AMENDMENT.—The chapter analysis for chapter 117 of title 18, United States Code, is amended by adding at the end the following:

“2425. Repeat offenders.”.

(B) CHAPTER 109A.—Section 2247 of title 18, United States Code, is amended to read as follows:

#### “§ 2247. Repeat offenders

“(a) IN GENERAL.—Any person described in this subsection shall be subject to the punishment under subsection (b). A person described in this subsection is a person who violates a provision of this chapter, after one or more prior convictions—

“(1) for an offense punishable under this chapter, or chapter 110 or 117; or

“(2) under any applicable law of a State relating to conduct punishable under this chapter, or chapter 110 or 117.

“(b) PUNISHMENT.—A violation of a provision of this chapter by a person described in subsection (a) is punishable by a term of imprisonment of a period not to exceed twice the period that would otherwise apply under this chapter.”.

(2) INCREASED MAXIMUM PENALTIES FOR TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES.—

(A) TRANSPORTATION GENERALLY.—Section 2421 of title 18, United States Code, is amended by striking “five” and inserting “10”.

(B) COERCION AND ENTICEMENT OF MINORS.—Section 2422 of title 18, United States Code, is amended—

(i) in subsection (a), by striking “five” and inserting “10”; and

(ii) in subsection (b), by striking “10” and inserting “15”.

(C) TRANSPORTATION OF MINORS.—Section 2423 of title 18, United States Code, is amended—

(i) in subsection (a), by striking “ten” and inserting “15”; and

(ii) in subsection (b), by striking “10” and inserting “15”.

(3) AMENDMENT OF SENTENCING GUIDELINES.—Pursuant to the authority granted to the United States Sentencing Commission under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(A) review the Federal sentencing guidelines relating to chapter 117 of title 18, United States Code; and

(B) upon completion of the review under subparagraph (A), promulgate such amendments to the Federal sentencing guidelines as are necessary to provide for the amendments made by this subsection.

(f) CLARIFICATION OF DEFINITION OF DISTRIBUTION OF PORNOGRAPHY.—Pursuant to the authority granted to the United States Sentencing Commission under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review the Federal sentencing guidelines relating to the distribution of pornography covered under chapter 110 of title 18, United States Code, relating to the sexual exploitation and other abuse of children; and

(2) upon completion of the review under paragraph (1), promulgate such amendments to the Federal sentencing guidelines as are necessary to clarify that the term “distribution of pornography” applies to the distribution of pornography—

(A) for monetary remuneration; or

(B) for a nonpecuniary interest.

(g) DIRECTIVE TO UNITED STATES SENTENCING COMMISSION.—In carrying out this section, the United States Sentencing Commission shall—

(1) with respect to any action relating to the Federal sentencing guidelines subject to this section, ensure reasonable consistency with other guidelines of the Federal sentencing guidelines; and

(2) with respect to an offense subject to the Federal sentencing guidelines, avoid duplicative punishment under the guidelines for substantially the same offense.

(h) AUTHORIZATION FOR GUARDIANS AD LITEM.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of Justice, for the purpose specified in paragraph (2), such sums as may be necessary for each of fiscal years 1998 through 2001.

(2) PURPOSE.—The purpose specified in this paragraph is the procurement, in accordance with section 3509(h) of title 18, United States Code, of the services of individuals with sufficient professional training, experience, and familiarity with the criminal justice system, social service programs, and child abuse issues to serve as guardians ad litem for children who are the victims of, or witnesses to, a crime involving abuse or exploitation.

(i) APPLICABILITY.—This section and the amendments made by this section shall apply to any action that commences on or after the date of enactment of this Act.

#### AMENDMENT NO. 3048

(Purpose: To reauthorize the Runaway and Homeless Youth Act)

At the end of the bill, add the following:

#### SEC. 4. RUNAWAY AND HOMELESS YOUTH ACT.

(a) IN GENERAL.—Section 372(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5714b(a)) is amended by striking “unit of general local government” and inserting “unit of local government”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) TECHNICAL AMENDMENTS.—

(A) ERROR RESULTING FROM REDESIGNATION.—

(i) IN GENERAL.—Section 3(i) of the Public Law 102-586 (106 Stat. 5026) is amended by striking “Section 366” and inserting “Section 385”.

(ii) EFFECTIVE DATE.—The amendment made by clause (i) shall take effect as if included in the amendments made by Public Law 102-586.

(B) ERROR RESULTING FROM REFERENCES TO NONEXISTENT PROVISIONS OF LAW.—

(i) IN GENERAL.—Section 40155 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322; 108 Stat. 1922) is amended by striking “is amended—” and all that follows through “after section 315” and inserting the following: “is amended by adding at the end”.

(ii) EFFECTIVE DATE.—The amendment made by clause (i) shall take effect as if included in the amendments made by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322).

(2) REAUTHORIZATIONS.—

(A) IN GENERAL.—Section 385 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5751) (as amended by section 3(i) of the Public Law 102-586 (106 Stat. 5026) (as amended by paragraph (1)(A) of this subsection)) is amended—

(i) in subsection (a)—

(I) in paragraph (1), by striking “1993 and such sums as may be necessary for fiscal years 1994, 1995, and 1996” and inserting “1998 and such sums as may be necessary for each of fiscal years 1999, 2000, 2001, 2002, and 2003”; and

(II) in paragraph (3), by striking subparagraphs (A) through (D) and inserting the following:

“(A) for fiscal year 1998, not less than \$957,285;

“(B) for fiscal year 1999, not less than \$1,005,150;

“(C) for fiscal year 2000, not less than \$1,055,406;

“(D) for fiscal year 2001, not less than \$1,108,177;

“(E) for fiscal year 2002, not less than \$1,163,585; and

“(F) for fiscal year 2003, not less than \$1,163,585.”;

(ii) in subsection (b), by striking “1993 and such sums as may be necessary for fiscal years 1994, 1995, and 1996” and inserting “1999 and such sums as may be necessary for each of fiscal years 2000, 2001, 2002, and 2003”; and

(iii) in subsection (c), by striking “1993, 1994, 1995, and 1996” and inserting “1999, 2000, 2001, 2002, and 2003”.

(B) ADDITIONAL REAUTHORIZATION.—Section 316 of part A of the Runaway and Homeless Youth Act (42 U.S.C. 5712d) (as added by section 40155 of the Violent Crime Control and Law Enforcement Act of 1994 (as amended by paragraph (1)(B) of this subsection)) is—

(i) redesignated as section 315; and

(ii) amended by striking subsection (c) and inserting the following:

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 1999, 2000, 2001, 2002, and 2003.”.

Mr. HATCH. Mr. President, today I am proud to support passage of the National Center for Missing and Exploited Children Authorization Act of 1998.

This bill recognizes the outstanding record of achievements of this outstanding organization and will enable NCMEC to provide even greater protection of our Nation's children in the future. In addition, I am offering an amendment with the text of the Child Exploitation Sentencing Enhancements Act along with the sponsors of that legislation, S. 900, Senators FEINGOLD and DEWINE. Lastly, I urge the Senate to accept an amendment offered by Senator LEAHY and myself to reauthorize the Runaway and Homeless Youth Act and for other purposes.

The underlying bill, S. 2073, authorizes appropriations for the National Center for Missing and Exploited Children. As part of the Missing Children's Assistance Act, the Office of Juvenile Justice and Delinquency Prevention has selected and given grants to the Center for the last 14 years to operate a national resource center located in Arlington, Virginia and a national 24-hour toll-free telephone line. The Center provides invaluable assistance and training to law enforcement around the country in cases of missing and exploited children. The Center's record is quite impressive, and its efforts have led directly to a significant increase in the percentage of missing children who are recovered safely.

In fiscal year 1998, the Center received an earmark of \$6.9 million in the Departments of Commerce, Justice, and State Appropriations conference report. In addition, the Center's Jimmy Ryce Training Center received 1.185M in this report.

This legislation directs OJJDP to make a grant to the Center and authorizes appropriations up to \$10 million in fiscal years 1999 through 2003. The authorization would, of course, be subject to appropriations. This bill thus continues and formalizes NCMEC's long partnership with the Justice Department and OJJDP.

NCMEC's exemplary record of performance and success, as demonstrated by the fact that NCMEC's recovery rate has climbed from 62% to 91%, justifies action by Congress to formally recognize it as the nation's official missing and exploited children's center, and to authorize a line-item appropriation. This bill will enable the Center to focus completely on its missions, without expending the annual effort to obtain authority and grants from OJJDP. It also will allow the Center to expand its longer term arrangements with domestic and foreign law enforcement entities. By providing an authorization, the bill also will allow for better congressional oversight of the Center.

The record of the Center, described briefly below, demonstrates the appropriateness of this authorization.

For fourteen years the Center has served as the national resource center and clearinghouse mandated by the Missing Children's Assistance Act. The Center has worked in partnership with the Department of Justice, the Federal

Bureau of Investigation, the Department of Treasury, the State Department, and many other federal and state agencies in the effort to find missing children and prevent child victimization.

The trust the federal government has placed in NCMEC, a private, non-profit corporation, is evidenced by its unique access to the FBI's National Crime Information Center, and the National Law Enforcement Telecommunications system (NLETS).

NCMEC has utilized the latest in technology, such as operating the National Child Pornography Tipline, establishing its new Internet website, [www.missingkids.com](http://www.missingkids.com), which is linked with hundreds of other websites to provide real-time images of breaking cases of missing children, and, beginning this year, establishing a new CyberTipline on child exploitation.

NCMEC has established a national and increasingly worldwide network linking NCMEC online with each of the missing children clearinghouses operated by the 50 states, the District of Columbia and Puerto Rico. In addition, NCMEC works constantly with international law enforcement authorities such as Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others. This network enables NCMEC to transmit images and information regarding missing children to law enforcement across America and around the world instantly. NCMEC also serves as the U.S. State Department's representative at child abduction cases under the Hague Convention.

The record of NCMEC is demonstrated by the 1,203,974 calls received at its 24-hour toll-free hotline, 1(800)THE LOST, the 146,284 law enforcement, criminal/juvenile justice, and healthcare professionals trained, the 15,491,344 free publications distributed, and, most importantly, by its work on 59,481 cases of missing children, which has resulted in the recovery of 40,180 children. Each of these figures represents the activity of NCMEC through this spring.

NCMEC is a shining example of the type of public-private partnership the Congress should encourage and recognize. I urge my colleagues to support this legislation, which would help improve the performance of the National Center for Missing and Exploited Children and thus the safety of our Nation's children.

In addition, I offer an amendment to S. 2073, along with Senators FEINGOLD and DEWINE, which contains the text of S. 900, the Child Exploitation Sentencing Enhancement Act. It is of the utmost importance that our children be protected from predatory pedophiles who roam the streets and the Internet looking for innocent children to victimize. These offenders need to be sent a message that the punishment for their actions will be serve and predictable.

Unfortunately, the anonymity provided by a computer linked to the Internet is being used by pedophiles more each day to lure children into harmful, dangerous and potentially deadly situations. Often, the perpetrator will entice the child by convincing the child that he also is a child, thus easing the child's fears and inhibitions. The Hatch-Feingold-Dewine amendment calls for the Sentencing Commission to enhance the sentencing guidelines for punishment of individuals who have used a computer to lure a child into sexual abuse or exploitation, or who has misrepresented himself for those purposes.

In addition to increasing the maximum penalties for first time offenders found guilty of transporting or enticing others for illegal sexual purposes or for traveling for illegal sexual purposes, the amendment also ensures that the penalties for repeat offenders are tougher, as they should be. Those convicted for transporting or luring minors for illegal sexual purposes, of for traveling across state lines to abuse a minor, will face up to twice the maximum jail sentence if they have previously been convicted of a similar crime. Those who are convicted of crossing state lines to sexually abuse minors or who do so on federal property, having previously been convicted of a similar crime, will also see their potential prison sentences doubled.

Finally, the amendment will authorize funds to ensure that child victims and witnesses to crimes involving sexual abuse and exploitation will have the services of professional, experienced guardians appointed to assist them in legal proceedings where necessary and appropriate. It is important that those who have been traumatized by sexual abuse not be victimized by the criminal justice system a second time.

I urge my colleagues to join me in supporting this important amendment.

Lastly, I have joined with Senator LEAHY in offering an amendment to reauthorize the Runaway and Homeless Youth Act. According to the National Network for Youth, this Act provides "critical assistance to youth in high-risk situations all over the country." The three programs, discussed in more detail below, benefit those children truly in need and at high risk of becoming addicted to drugs or involved in criminal behavior. For these reasons, I supported including this reauthorization as section 306 of S. 10, the Violent and Repeat Offender Act.

The cornerstone of the Runaway and Homeless Youth Act is the Basic Center Program which provides grants for temporary shelter and counseling for children under age 18. My home state of Utah received over \$378,000 in grants in FY 1998 under this program, and I have received requests from Utah organizations such as the Baker Youth Service Home to reauthorize this important program.

Community-based organizations also may request grants under the two re-

lated programs, the Transitional Living and the Sexual Abuse Prevention/Street Outreach programs. The Transitional Living grants provide longer term housing to homeless teens aged 16 to 21, and aim to move these teens to self-sufficiency and to avoid long-term dependency on public assistance. The Sexual Abuse Prevention/Street Outreach Program targets homeless teens potentially involved in high risk behaviors.

In addition, the amendment reauthorizes the Runaway and Homeless Youth Act Rural Demonstration Projects which provide assistance to rural juvenile populations, such as in my state of Utah. Finally, the amendment makes several technical corrections to fix prior drafting errors in the Runaway and Homeless Youth Act.

The combination of this bill and the amendments will strengthen our commitment to our youth, and I urge adoption of the amendments and the bill as amended.

Mr. FEINGOLD. Mr. President, I am pleased that the distinguished Chairman of the Judiciary Committee has agreed to cosponsor my Child Exploitation Sentencing Enhancement Amendment and add it to the authorization bill for the National Center for Missing and Exploited Children (NCMEC).

As we all know, miraculous advances in computer technology have opened new worlds to citizens all across this country. It's an exciting future. But it is also a future filled with risk for vulnerable children because some in our country have chosen to exploit the new technologies to commit crimes. According to the NCMEC, criminals are increasingly using computer telecommunications technology as a means to assist in the sexual victimization of young children and teenagers.

To combat this growing problem of the use of computers and the Internet to sexually exploit and abuse children, I introduced the Child Exploitation Sentencing Enhancement Act of 1997 last June. The amendment adopted by the Senate today incorporates that bill—S. 900—which was also co-sponsored by my friend from Ohio, Senator DEWINE.

Mr. President, the same marvelous advances in computer and telecommunications technology that allow our children to reach out to new sources of knowledge and cultural experiences are also leaving them unwittingly vulnerable to exploitation and harm by pedophiles and other sexual predators in ways never before possible. Advances in technology should not be the shield from behind which pedophiles and sexual molesters target and prey upon our children. When new technologies are used to further the criminal sexual exploitation and abuse of children, it is essential, that this conduct be punished severely.

This amendment directs the U.S. Sentencing Commission to increase criminal penalties for people who use a

computer to entice children into illicit sexual conduct. The amendment also directs that sentences be increased for those criminals who seek out children on the Internet and misrepresent their true identity in a knowing effort to gain the trust of the child they intend to victimize sexually.

The provisions in this amendment are directed squarely at those molesters and sexual predators who go on-line and use computer chat rooms to target young victims. One distinct advantage of the Internet for criminals is that they are able to reach a much wider audience of potential victims than they would if they had to be physically present at a schoolyard or playground. Another advantage for cyber-criminals is that they have near fool-proof anonymity while they cruise the Internet looking for victims. In some cases, victims are enticed or lured to meet with the sexual molester. The opportunities for the criminal to misrepresent his true identity and thus gain the confidence of the victim is a significant aspect of these crimes. Director Freeh noted this problem last year in testimony before an appropriations subcommittee. He said:

Pedophiles often seek out young children by either participating in or monitoring activities in chat rooms that are provided by commercial on-line services for teenagers and preteens to converse with each other. These chat rooms also provide pedophiles an anonymous means of establishing relationships with children. Using a chat room, a child can converse for hours with unknown individuals, often without the knowledge or approval of their parents. There is no easy way for the child to know if the person he or she is talking with is, in fact, another 14-year-old, or is a 40-year-old sexual predator masquerading as a peer.

Director Freeh's testimony also noted that sexual criminals also target young victims by posing as children looking for pen pals or by posting notices on computer bulletin boards in order to facilitate and develop relationships which can in turn provide a victim for the predator's illegal sexual activity.

One chilling example of this problem comes from my own state of Wisconsin.

In June 1997, a federal grand jury indicted a Jacksonville, Florida man for child enticement and for traveling in interstate commerce to commit a sex act with a fifteen-year-old girl. The defendant first contacted the girl via the Internet and over time began sending her increasingly sexually explicit messages. The defendant offered to pay for the girl to visit him in Florida. The entire time, the defendant told the young girl that he was 21 years old when, in fact, he was 39.

As the sexually explicit messages escalated and it became apparent that the girl would not be able to go to Florida, the man ultimately traveled to Sturgeon Bay, Wisconsin to meet her.

Believing she was going to meet a 21-year-old, the girl took a friend and waited for the defendant at a res-

taurant. Upon being confronted by the man—who was clearly not who he said he was—the young girl fled into a restroom while the defendant stood outside and demanded that she come out.

Later that day, based upon information provided by the girl, the man was arrested by Sturgeon Bay police at a local motel at which he had registered under an assumed name.

This is a chilling example of how criminals can use the Internet to facilitate crimes against children. Thankfully, this incident did not end in the sexual abuse of a fifteen-year-old. But it is frightening to consider what might have happened if the defendant had been able to lure her to the unfamiliar area of Jacksonville, Florida.

This is not an isolated incident; there have been other similar instances in Wisconsin and across the nation. And many have not ended as happily as this one did.

In addition to increasing sentences for criminal activity involving this type of conduct, my amendment expands the "pattern of activity" sentencing enhancement to a wider range of sexual abuse and exploitation crimes. Those criminals who have shown an ongoing pattern of sexually exploiting minors will be held accountable for their conduct through longer prison sentences. These longer sentences incapacitate the criminal for a longer period of time, reducing the potential that they will be set free to victimize again. This sentencing enhancement will now be applicable in cases of sexual abuse, sexual exploitation, and the coercion and enticement of minors for an illegal sexual activity.

In addition, the amendment targets repeat offenders by increasing penalties for repeat offenses and by increasing maximum penalties available under the Federal criminal code. And finally, the amendment authorizes funding to be used to appoint guardians ad litem for children who are the victims of, or witnesses to, crimes involving abuse or exploitation.

Mr. President, our children are our most precious resource. I am the father of teenage children. Like any parent, I worry about the health and safety of my children. I encourage my children to utilize the Internet and to gain the benefits of these amazing new technologies—technologies which simply did not exist just a few years ago, not to mention when I was growing up. During my tenure in this body, I have been a strong believer in the potential of the Internet and sincerely hope that as we move toward the next century that potential will be realized to the benefit of all our citizens.

But I am also mindful of the dangers that arise when criminals exploit a new technology to further their illicit criminal activity. This amendment speaks directly to the small percentage of individuals who intentionally misuse the Internet to prey sexually upon children. The adoption of this amend-

ment will send a message that the we will not tolerate the sexual exploitation of our young people on the information superhighway. Pedophiles and sexual predators are not welcome on that road.

Mr. President, there are many different views on the best approach to the potential dangers of the Internet. We have disagreements in this body, as we do in the country, about the best way to protect children from sexually explicit images on the Internet. But I think we all can agree that when the Internet is used to facilitate criminal abuse of children, punishment should be swift and severe.

I yield the floor.

Mr. LEAHY. Mr. President, I am pleased that Senator HATCH has now decided to join with me in including on this measure an amendment that will reauthorize the Runaway and Homeless Youth Act for five years. This amendment complements Senator HATCH's bill to authorize the National Center for Missing and Exploited Children, S.2073, because it provides additional assistance to some of the most vulnerable children in our country—children and teenagers who have run away or become homeless.

In 1996, I introduced legislation with Senator Simon similar to this amendment. Unfortunately, that bill was never passed by the Judiciary Committee and so the Runaway and Homeless Youth Act has not been authorized for over two years. I think it is time for the Senate to remedy this situation and that is why I proposed this amendment to Senator HATCH's bill. I had also hoped to reauthorize the Incentive Grants for Local Delinquency Prevention Programs, commonly known as the Title V program, as well as two anti-drug abuse programs for runaway and homeless youth and gang-affiliated teenagers. But, due to objections from the Republican side of the aisle, I have not been able to include reauthorization for those worthwhile programs in this amendment. That is unfortunate. As a former prosecutor I know these programs could cut drug abuse.

Reauthorizing the Runaway and Homeless Youth Act for five more years is the first step in assuring local community programs that they will have the additional resources they need to assist the growing number of homeless and runaway youth in the U.S. This program distributes funding to local community programs which are on the front lines assisting the approximately 1.3 million children and youth each year who are homeless or have left their families for a variety of reasons. This is the sort of program that studies have found to be an effective and efficient use of limited federal dollars.

The Runaway and Homeless Youth Act programs assist some of our nation's neediest children—those who lack a roof over their heads. Many of the beneficiaries of these programs have either fled or been kicked out of

their family homes due to serious family conflicts or other problems. These programs assist children facing a variety of circumstances and provide funding for shelters and crisis intervention services, transitional living arrangements and outreach to teens who are living on the streets.

The Basic Center grants for housing and crisis services for runaway and homeless children are awarded to each State, based on juvenile population, with a minimum grant of \$100,000 currently awarded to smaller States, such as Vermont. Effective community-based programs around the country can also apply directly for the funds made available for the Transitional Living Program and the Sexual Abuse Prevention/Street Outreach grants. The Transitional Living Program grants are used to provide longer term housing to homeless teens age 16 to 21, and to help these teenagers become more self-sufficient. The Sexual Abuse Prevention/Street Outreach Program also targets teens who have engaged in or are at risk of engaging in high risk behaviors while living on the street.

Vermont's Coalition for Runaway and Homeless Youth and the Spectrum Youth and Family Services in Burlington, Vermont, have developed very comprehensive and effective programs to assist both teens who are learning to be self-sufficient and those who are struggling to survive on the streets. As such, Vermont programs have been successful in applying for these two specialized programs and have been on the forefront of developing and improving the services available to runaway and homeless youth.

This amendment, which reauthorizes all three Runaway and Homeless Youth Act programs, is intended to recognize the important work of these programs in Vermont, as well as the many, many others across the U.S. that are working effectively with runaway and homeless youth and their families.

Our amendment also reauthorizes the Runaway and Homeless Youth Act Rural Demonstration Projects for an additional five years. This program provides extra assistance to States with rural juvenile populations. Programs serving runaway and homeless youth have found that those in rural areas are particularly difficult to reach and serve effectively. Runaway and homeless youth programs in rural areas, such as those in Utah and Vermont, need additional assistance and have special needs.

For those who do not think rural areas have significant numbers of runaway youth, I note that in fiscal year 1997, the Vermont Coalition for Runaway and Homeless Youth served 987 young people in its programs in 10 counties. Spectrum Youth and Family Services served an additional 259 at its center and over 2,000 through its street outreach services and drop-in center in Burlington. These numbers have been increasing rapidly over the past few years with a 154 percent increase in the

number of youth served by the Vermont Coalition between 1992 and 1997. An area of special concern is the increasing number of young people who are being "pushed" out of their homes—those numbers increased 263 percent between 1993 and 1997 in Vermont. This is in addition to the hundreds of children each year who find themselves homeless or who have run away from home.

The Runaway and Homeless Youth Act does more than shelter these children in need. As the National Network for Youth stressed in their letter in support of my amendment, the Act's programs "provide critical assistance to youth in high-risk situations all over the country." This Act also ensures that these children and their families have access to important services, such as individual, family or group counseling, alcohol and drug counseling and a myriad of other resources to help these young people and their families get back on track.

As a result of this multi-pronged approach to helping runaway and homeless youth, the Vermont Coalition for Runaway and Homeless Youth was able to establish 85 percent of the youth served in 1997 in a "positive living situation" by the end of the year. Of these 800 young people, 54 percent returned home and another 17 percent went to live with a relative or friend.

The Vermont Coalition should be applauded for these fine results and I believe the best way to do that is to reauthorize the Runaway and Homeless Act for five more years, so programs like these in Vermont have some greater financial security in the future.

Mr. BIDEN. Mr. President, I rise to support passage of S.2073, legislation to authorize specific funding for the National Center for Missing and Exploited Children. I am pleased to join Senator HATCH and others in sponsoring this legislation.

I would also note that this legislation makes the same important change in law that I originally proposed as an amendment during the Judiciary Committee's mark-up of S. 10, legislation concerning juvenile justice issues. My amendment was accepted by Chairman HATCH and agreed to by all members of the Committee.

So, I am particularly happy that the full Senate is today passing this legislation in another form.

It is my hope that the House will also act to pass this bill.

Mr. LOTT. Mr. President, I ask unanimous consent that the amendments be agreed to, en bloc, the committee amendment be agreed to, the bill, as amended, be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 3047 and 3048) were agreed to, en bloc.

The committee amendment was agreed to.

The bill (S. 2073), as amended, was considered read the third time and passed.

S. 2073

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS.

Congress makes the following findings:

(1) For 14 years, the National Center for Missing and Exploited Children (referred to in this section as the "Center") has—

(A) served as the national resource center and clearinghouse congressionally mandated under the provisions of the Missing Children's Assistance Act of 1984; and

(B) worked in partnership with the Department of Justice, the Federal Bureau of Investigation, the Department of the Treasury, the Department of State, and many other agencies in the effort to find missing children and prevent child victimization.

(2) Congress has given the Center, which is a private non-profit corporation, unique powers and resources, such as having access to the National Crime Information Center of the Federal Bureau of Investigation, and the National Law Enforcement Telecommunications System.

(3) Since 1987, the Center has operated the National Child Pornography Tipline, in conjunction with the United States Customs Service and the United States Postal Inspection Service and, beginning this year, the Center established a new CyberTipline on child exploitation, thus becoming "the 911 for the Internet".

(4) In light of statistics that time is of the essence in cases of child abduction, the Director of the Federal Bureau of Investigation in February of 1997 created a new NCIC child abduction ("CA") flag to provide the Center immediate notification in the most serious cases, resulting in 642 "CA" notifications to the Center and helping the Center to have its highest recovery rate in history.

(5) The Center has established a national and increasingly worldwide network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which has enabled the Center to transmit images and information regarding missing children to law enforcement across the United States and around the world instantly.

(6) From its inception in 1984 through March 31, 1998, the Center has—

(A) handled 1,203,974 calls through its 24-hour toll-free hotline (1-800-THE-LOST) and currently averages 700 calls per day;

(B) trained 146,284 law enforcement, criminal and juvenile justice, and healthcare professionals in child sexual exploitation and missing child case detection, identification, investigation, and prevention;

(C) disseminated 15,491,344 free publications to citizens and professionals; and

(D) worked with law enforcement on the cases of 59,481 missing children, resulting in the recovery of 40,180 children.

(7) The demand for the services of the Center is growing dramatically, as evidenced by the fact that in 1997, the Center handled 129,100 calls, an all-time record, and by the fact that its new Internet website ([www.missingkids.com](http://www.missingkids.com)) receives 1,500,000 "hits" every day, and is linked with hundreds of other websites to provide real-time images of breaking cases of missing children, helping to cause such results as a police officer in Puerto Rico searching the Center's



website and working with the Center to identify and recover a child abducted as an infant from her home in San Diego, California, 7 years earlier.

(8) In 1997, the Center provided policy training to 256 police chiefs and sheriffs from 50 States and Guam at its new Jimmy Ryce Law Enforcement Training Center.

(9) The programs of the Center have had a remarkable impact, such as in the fight against infant abductions in partnership with the healthcare industry, during which the Center has performed 668 onsite hospital walk-throughs and inspections, and trained 45,065 hospital administrators, nurses, and security personnel, and thereby helped to reduce infant abductions in the United States by 82 percent.

(10) The Center is now playing a significant role in international child abduction cases, serving as a representative of the Department of State at cases under The Hague Convention, and successfully resolving the cases of 343 international child abductions, and providing greater support to parents in the United States.

(11) The Center is a model of public/private partnership, raising private sector funds to match congressional appropriations and receiving extensive private in-kind support, including advanced technology provided by the computer industry such as imaging technology used to age the photographs of long-term missing children and to reconstruct facial images of unidentified deceased children.

(12) The Center was 1 of only 10 of 300 major national charities given an A+ grade in 1997 by the American Institute of Philanthropy.

(13) In light of its impressive history, the Center has been redesignated as the Nation's missing children clearinghouse and resource center once every 3 years through a competitive selection process conducted by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and has received grants from that Office to conduct the crucial purposes of the Center.

(14) An official congressional authorization will increase the level of scrutiny and oversight by Congress and continue the Center's long partnership with the Department of Justice and the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice.

(15) The exemplary record of performance and success of the Center, as exemplified by the fact that the Center's recovery rate has climbed from 62 to 91 percent, justifies action by Congress to formally recognize the National Center for Missing and Exploited Children as the Nation's official missing and exploited children's center, and to authorize a line-item appropriation for the National Center for Missing and Exploited Children in the Federal budget.

## SEC. 2. NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

(a) GRANTS.—The Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice shall annually make a grant to the National Center for Missing and Exploited Children, which shall be used to—

(1) operate the official national resource center and information clearinghouse for missing and exploited children;

(2) provide to State and local governments, public and private nonprofit agencies, and individuals, information regarding—

(A) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing and exploited children and their families; and

(B) the existence and nature of programs being carried out by Federal agencies to as-

sist missing and exploited children and their families;

(3) coordinate public and private programs that locate, recover, or reunite missing children with their families;

(4) disseminate, on a national basis, information relating to innovative and model programs, services, and legislation that benefit missing and exploited children;

(5) provide technical assistance and training to law enforcement agencies, State, and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children; and

(6) provide assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and internationally.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section, \$10,000,000 for each of fiscal years 1999, 2000, 2001, 2002, and 2003.

## SEC. 3. CHILD EXPLOITATION SENTENCING ENHANCEMENTS.

(a) DEFINITIONS.—In this section:

(1) CHILD; CHILDREN.—The term “child” or “children” means a minor or minors of an age specified in the applicable provision of title 18, United States Code, that is subject to review under this section.

(2) MINOR.—The term “minor” means any individual who has not attained the age of 18, except that, with respect to references to section 2243 of title 18, United States Code, the term means an individual described in subsection (a) of that section.

(b) INCREASED PENALTIES FOR USE OF A COMPUTER IN THE SEXUAL ABUSE OR EXPLOITATION OF A CHILD.—Pursuant to the authority granted to the United States Sentencing Commission under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review the Federal sentencing guidelines on aggravated sexual abuse under section 2241 of title 18, United States Code, sexual abuse under section 2242 of title 18, United States Code, sexual abuse of a minor or ward under section 2243 of title 18, United States Code, coercion and enticement of a juvenile under section 2422(b) of title 18, United States Code, and transportation of minors under section 2423 of title 18, United States Code; and

(2) upon completion of the review under paragraph (1), promulgate amendments to the Federal sentencing guidelines to provide an appropriate sentencing enhancement if the defendant used a computer with the intent to persuade, induce, entice, or coerce a child of an age specified in the applicable provision referred to in paragraph (1) to engage in any prohibited sexual activity.

(c) INCREASED PENALTIES FOR KNOWING MISREPRESENTATION IN THE SEXUAL ABUSE OR EXPLOITATION OF A CHILD.—Pursuant to the authority granted to the United States Sentencing Commission under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review the Federal sentencing guidelines on aggravated sexual abuse under section 2241 of title 18, United States Code, sexual abuse under section 2242 of title 18, United States Code, sexual abuse of a minor or ward under section 2243 of title 18, United States Code, coercion and enticement of a juvenile under section 2422(b) of title 18, United States Code, and transportation of minors under section 2423 of title 18, United States Code; and

(2) upon completion of the review under paragraph (1), promulgate amendments to the Federal sentencing guidelines to provide

an appropriate sentencing enhancement if the defendant knowingly misrepresented the actual identity of the defendant with the intent to persuade, induce, entice, or coerce a child of an age specified in the applicable provision referred to in paragraph (1) to engage in a prohibited sexual activity.

(d) INCREASED PENALTIES FOR PATTERN OF ACTIVITY OF SEXUAL EXPLOITATION OF CHILDREN.—Pursuant to the authority granted to the United States Sentencing Commission under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review the Federal sentencing guidelines on criminal sexual abuse, the production of sexually explicit material, the possession of materials depicting a child engaging in sexually explicit conduct, coercion and enticement of minors, and the transportation of minors; and

(2) upon completion of the review under paragraph (1), promulgate amendments to the Federal sentencing guidelines to provide an appropriate sentencing enhancement applicable to the offenses referred to in paragraph (1) in any case in which the defendant engaged in a pattern of activity involving the sexual abuse or exploitation of a minor.

(e) REPEAT OFFENDERS; INCREASED MAXIMUM PENALTIES FOR TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES.—

(1) REPEAT OFFENDERS.—

(A) CHAPTER 117.—

(i) IN GENERAL.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

### “§ 2425. Repeat offenders

“(a) IN GENERAL.—Any person described in this subsection shall be subject to the punishment under subsection (b). A person described in this subsection is a person who violates a provision of this chapter, after one or more prior convictions—

“(1) for an offense punishable under this chapter, or chapter 109A or 110; or

“(2) under any applicable law of a State relating to conduct punishable under this chapter, or chapter 109A or 110.

“(b) PUNISHMENT.—A violation of a provision of this chapter by a person described in subsection (a) is punishable by a term of imprisonment of a period not to exceed twice the period that would otherwise apply under this chapter.”.

(ii) CONFORMING AMENDMENT.—The chapter analysis for chapter 117 of title 18, United States Code, is amended by adding at the end the following:

“2425. Repeat offenders.”.

(B) CHAPTER 109A.—Section 2247 of title 18, United States Code, is amended to read as follows:

### “§ 2247. Repeat offenders

“(a) IN GENERAL.—Any person described in this subsection shall be subject to the punishment under subsection (b). A person described in this subsection is a person who violates a provision of this chapter, after one or more prior convictions—

“(1) for an offense punishable under this chapter, or chapter 110 or 117; or

“(2) under any applicable law of a State relating to conduct punishable under this chapter, or chapter 110 or 117.

“(b) PUNISHMENT.—A violation of a provision of this chapter by a person described in subsection (a) is punishable by a term of imprisonment of a period not to exceed twice the period that would otherwise apply under this chapter.”.

(2) INCREASED MAXIMUM PENALTIES FOR TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES.—

(A) TRANSPORTATION GENERALLY.—Section 2421 of title 18, United States Code, is amended by striking “five” and inserting “10”.

(B) COERCION AND ENTICEMENT OF MINORS.—Section 2422 of title 18, United States Code, is amended—

(i) in subsection (a), by striking “five” and inserting “10”; and

(ii) in subsection (b), by striking “10” and inserting “15”.

(C) TRANSPORTATION OF MINORS.—Section 2423 of title 18, United States Code, is amended—

(i) in subsection (a), by striking “ten” and inserting “15”; and

(ii) in subsection (b), by striking “10” and inserting “15”.

(3) AMENDMENT OF SENTENCING GUIDELINES.—Pursuant to the authority granted to the United States Sentencing Commission under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(A) review the Federal sentencing guidelines relating to chapter 117 of title 18, United States Code; and

(B) upon completion of the review under subparagraph (A), promulgate such amendments to the Federal sentencing guidelines as are necessary to provide for the amendments made by this subsection.

(f) CLARIFICATION OF DEFINITION OF DISTRIBUTION OF PORNOGRAPHY.—Pursuant to the authority granted to the United States Sentencing Commission under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review the Federal sentencing guidelines relating to the distribution of pornography covered under chapter 110 of title 18, United States Code, relating to the sexual exploitation and other abuse of children; and

(2) upon completion of the review under paragraph (1), promulgate such amendments to the Federal sentencing guidelines as are necessary to clarify that the term “distribution of pornography” applies to the distribution of pornography—

(A) for monetary remuneration; or

(B) for a nonpecuniary interest.

(g) DIRECTIVE TO UNITED STATES SENTENCING COMMISSION.—In carrying out this section, the United States Sentencing Commission shall—

(1) with respect to any action relating to the Federal sentencing guidelines subject to this section, ensure reasonable consistency with other guidelines of the Federal sentencing guidelines; and

(2) with respect to an offense subject to the Federal sentencing guidelines, avoid duplicative punishment under the guidelines for substantially the same offense.

(h) AUTHORIZATION FOR GUARDIANS AD LITEM.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of Justice, for the purpose specified in paragraph (2), such sums as may be necessary for each of fiscal years 1998 through 2001.

(2) PURPOSE.—The purpose specified in this paragraph is the procurement, in accordance with section 3509(h) of title 18, United States Code, of the services of individuals with sufficient professional training, experience, and familiarity with the criminal justice system, social service programs, and child abuse issues to serve as guardians ad litem for children who are the victims of, or witnesses to, a crime involving abuse or exploitation.

(i) APPLICABILITY.—This section and the amendments made by this section shall apply to any action that commences on or after the date of enactment of this Act.

#### SEC. 4. RUNAWAY AND HOMELESS YOUTH ACT.

(a) IN GENERAL.—Section 372(a) of the Juvenile Justice and Delinquency Prevention

Act of 1974 (42 U.S.C. 5714b(a)) is amended by striking “unit of general local government” and inserting “unit of local government”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) TECHNICAL AMENDMENTS.—

(A) ERROR RESULTING FROM REDESIGNATION.—

(i) IN GENERAL.—Section 3(i) of the Public Law 102-586 (106 Stat. 5026) is amended by striking “Section 366” and inserting “Section 385”.

(ii) EFFECTIVE DATE.—The amendment made by clause (i) shall take effect as if included in the amendments made by Public Law 102-586.

(B) ERROR RESULTING FROM REFERENCES TO NONEXISTENT PROVISIONS OF LAW.—

(i) IN GENERAL.—Section 40155 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322; 108 Stat. 1922) is amended by striking “is amended—” and all that follows through “after section 315” and inserting the following: “is amended by adding at the end”.

(ii) EFFECTIVE DATE.—The amendment made by clause (i) shall take effect as if included in the amendments made by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322).

(2) REAUTHORIZATIONS.—

(A) IN GENERAL.—Section 385 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5751) (as amended by section 3(i) of the Public Law 102-586 (106 Stat. 5026) (as amended by paragraph (1)(A) of this subsection)) is amended—

(i) in subsection (a)—

(I) in paragraph (1), by striking “1993 and such sums as may be necessary for fiscal years 1994, 1995, and 1996” and inserting “1998 and such sums as may be necessary for each of fiscal years 1999, 2000, 2001, 2002, and 2003”; and

(II) in paragraph (3), by striking subparagraphs (A) through (D) and inserting the following:

“(A) for fiscal year 1998, not less than \$957,285;

“(B) for fiscal year 1999, not less than \$1,005,150;

“(C) for fiscal year 2000, not less than \$1,055,406;

“(D) for fiscal year 2001, not less than \$1,108,177;

“(E) for fiscal year 2002, not less than \$1,163,585; and

“(F) for fiscal year 2003, not less than \$1,163,585.”;

(ii) in subsection (b), by striking “1993 and such sums as may be necessary for fiscal years 1994, 1995, and 1996” and inserting “1999 and such sums as may be necessary for each of fiscal years 2000, 2001, 2002, and 2003”; and

(iii) in subsection (c), by striking “1993, 1994, 1995, and 1996” and inserting “1999, 2000, 2001, 2002, and 2003”.

(B) ADDITIONAL REAUTHORIZATION.—Section 316 of part A of the Runaway and Homeless Youth Act (42 U.S.C. 5712d) (as added by section 40155 of the Violent Crime Control and Law Enforcement Act of 1994 (as amended by paragraph (1)(B) of this subsection)) is—

(i) redesignated as section 315; and

(ii) amended by striking subsection (c) and inserting the following:

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 1999, 2000, 2001, 2002, and 2003.”.

#### HONORING THE BERLIN AIRLIFT

Mr. LOTT. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Con. Res. 81,

and further that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 81) honoring the Berlin airlift.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

AMENDMENT NO. 3049

(Purpose: To provide a complete substitute)

Mr. LOTT. Senator COVERDELL has a substitute amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. COVERDELL, proposes an amendment numbered 3049.

Mr. LOTT. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike all after the resolving clause and insert the following:

That it is the sense of Congress that—

(1) the Berlin Airlift, which marks its 50th anniversary of commencement in June 1998, is one of the most significant events in post-war European history; and

(2) the Berlin Sculpture Fund should be commended for commemorating the 50th anniversary of the Berlin Airlift by presenting to the citizens of the Federal Republic of Germany a gift of representational art, funded by private subscriptions from citizens of the United States.

Amend the preamble to read as follows:

Whereas the date of June 26, 1998, marks the 50th anniversary of the commencement of the Allied effort to supply the people of Berlin, Germany, with food, fuel, and supplies in the face of the illegal Soviet blockade that divided the city;

Whereas this 15 month Allied effort became known throughout the free world as the “Berlin Airlift” and ultimately cost the lives of 78 Allied airmen, of whom 31 were United States fliers;

Whereas this heroic humanitarian undertaking was universally regarded as an unambiguous statement of Western resolve to thwart further Soviet expansion;

Whereas the Berlin Airlift was an unequalled success, both as an instrument of diplomacy and as a life saving rescue of the 2,000,000 inhabitants of West Berlin, with 2,326,205 tons of supplies delivered by 277,728 flights over a 462-day period;

Whereas historians and citizens the world over view the success of this courageous action as pivotal to the ultimate defeat of international tyranny, symbolized today by the fall of the Berlin Wall; and

Whereas this inspiring act of resolve must be preserved in the memory of future generations in a positive and dramatic manner: Now, therefore, be it

Mr. COVERDELL. Mr. President, I rise today to speak on a resolution I introduced honoring the heroes of the Berlin Airlift. Today marks the fiftieth